

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

KYLE EDWARD DAQUILLA (01)

No. 4:18-CR-153-Y

DEC 19 2018

FACTUAL RESUME

SUPERSEDING INFORMATION:

Possess with Intent to Distribute Methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

MAXIMUM PENALTY:

- Imprisonment for a period not more than 20 years;
- A fine not to exceed \$1,000,000 or both a fine and imprisonment;
- A supervised-release term of a maximum of 5 years. If the defendant violates any of the supervised-release conditions, he could be imprisoned for the entire supervised-release term, resulting in additional prison time;
- A \$100 mandatory special assessment;
- Restitution to victims or to the community, which may be mandatory under the law, and which the defendant agrees may include restitution arising from the offense of conviction alone;
- Forfeiture of property; and
- Incarceration or supervision costs.

ELEMENTS OF THE OFFENSE:

The essential elements which must be proved beyond a reasonable doubt in order to establish the offense charged in the Indictment are as follows:

- First: The defendant knowingly possessed a controlled substance;
- Second: The substance was in fact methamphetamine; and
- Third: The defendant possessed the substance with the intent to distribute it.

STIPULATED FACTS:

On or about March 1, 2018, the defendant Kyle Edward Daquilla knowingly and intentionally possessed at least 50 grams of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance. Daquilla admits he knowingly possessed the methamphetamine with the intent to distribute it.

On March 1, 2018, the Texas Department of Public Safety (DPS) Criminal Investigations Division executed a search warrant of room 220 at the Extended Stay American Hotel, located at 5831 Overton Ridge Boulevard in Fort Worth, Texas. The room was previously occupied by Daquilla and another individual. Daquilla possessed at least 50 grams of methamphetamine, cocaine, marijuana and a pistol, all of which were found in the hotel room. Prior to entering the hotel room, DPS detained Daquilla pursuant to a vehicle traffic stop. DPS found two keys to Daquilla's hotel room on his person, and another pistol inside the glove box of the vehicle.

SIGNED this 16 day of December, 2018.

  
\_\_\_\_\_  
KYLE EDWARD DAQUILLA  
Defendant

  
\_\_\_\_\_  
CODY COFER  
Counsel for Defendant